

1 RENE L. VALLADARES
2 Federal Public Defender
3 State Bar No. 11479
4 HEIDI A. OJEDA
5 Assistant Federal Public Defender
6 Nevada State Bar No. 12223
7 411 E. Bonneville, Ste. 250
8 Las Vegas, Nevada 89101
9 (702) 388-6577/Phone
10 (702) 388-6261/Fax
11 Heidi_Ojeda@fd.org

12 Attorney for Edwin Mauricio Caceres

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 UNITED STATES OF AMERICA,

16 Case No. 2:16-mj-528-CWH

17 Plaintiff,

18 **STIPULATION TO SET CHANGE OF**
19 **PLEA HEARING**
20 **(First Request)**

21 EDWIN MAURICIO CACERES,

22 *(Expedited Treatment Requested)*

23 Defendant.

24 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
25 United States Attorney, and Patrick Burns, Assistant United States Attorney, counsel for the
26 United States of America, and Rene L. Valladares, Federal Public Defender, and Heidi A.
Ojeda, Assistant Federal Public Defender, counsel for Edwin Mauricio Caceres, that this court
set a Change of Plea hearing for the first available date.

27 This Stipulation is entered into for the following reasons:

28 1. On July 19, 2016, a Complaint was filed against Edwin Mauricio Caceres
29 alleging the following counts: (1) operation of a motor vehicle while under the influence of
30 alcohol, (2) refusing to submit to a chemical test, (3) reckless driving, and (4) driving on a
31 revoked license. The Court ordered him detained.

2. The parties have been in contact in an attempt to negotiate this case. The parties have reached a proposed resolution in this case. The parties have agreed to jointly recommend that Mr. Cacares be referred to Probation for a PSR and that he be placed on three years supervised probation.

3. As part of this agreement, the Government is agreeing to Mr. Cacares release at the change of plea hearing with conditions, including that he surrender his driver's license, be prohibited from operating any motor vehicle, abstain from the possession or use of alcohol, and be subject to monitoring and testing for the ingestion of alcohol.

4. Mr. Caceres, therefore, requests that he court schedule a change of plea hearing as soon as possible. Mr. Caceres has been employed at a local hotel for the past four years and must retain his job. He has financial obligations that include rent, child support, and the support of his father in El Salvador. Furthermore, Mr. Caceres is scheduled to return to work on 7/20/16 and a prolonged detention will ensure that he is fired from his job.

5. The parties agree to the advance the change of plea.

This is the first request for a Change of Plea hearing to be set.

DATED this 19th day of July, 2016.

RENE L. VALLADARES
Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

/s/ Heidi A. Ojeda
By _____
HEIDI A. OJEDA
Assistant Federal Public Defender

/s/ *Patrick Burns*
By _____
PATRICK BURNS
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No. 2:16-mj-528-CWH

Plaintiff,

V.

EDWIN MAURICIO CACERES,

ORDER

Defendant.

10 IT IS THEREFORE ORDERED that a Change of Plea hearing be set for
11 July 21, 2016 at the hour of 3:00 p.m.

DATED this 20th day of July, 2016.

UNITED STATES MAGISTRATE JUDGE